

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SUSAN LAWRENCE,

Plaintiffs,

v.

COSTCO WHOLESALE CORPORATION,

Defendant.

Case No. 1:22-cv-00931-AWI-EPG

ORDER DENYING STIPULATED
PROTECTIVE ORDER WITHOUT
PREJUDICE

(ECF No. 13)

On December 28, 2022, the parties filed a stipulated protective order for the Court's approval. (ECF No. 13). The stipulated protective order will be denied, without prejudice, because it does not comply with Local Rule 141.1 and other rules and procedures.

Local Rule 141.1(c)(1)-(3), requires that every proposed protective order contain the following provisions:

(1) A description of the types of information eligible for protection under the order, with the description provided in general terms sufficient to reveal the nature of the information (e.g., customer list, formula for soda, diary of a troubled child);

(2) A showing of particularized need for protection as to each category of information proposed to be covered by the order; and

(3) A showing as to why the need for protection should be addressed by a court order, as opposed to a private agreement between or among the parties.

1 The parties' stipulated protective order defines confidential information to mean
 2 "information (regardless of how generated, stored or maintained) or tangible things that qualify for
 3 protection under California Law." (ECF No. 13, p. 2). However, such a catchall description is not
 4 sufficient "in general terms [] to reveal the nature of the information" under LR 141.1(c)(1). For
 5 example, the parties do not generally identify "confidential" information to include, *e.g.*, a customer
 6 list or some other descriptor to reveal the general type of information deemed confidential.
 7 Additionally, the parties fail to make a particularized showing as to need for protection as to any
 8 category of information to be covered by the order under LR 141.1(c)(2). Likewise, the parties do
 9 not discuss why the need for protection should be addressed by a court order as opposed to a private
 10 agreement.

11 Further, the Court notes that the proposed protective order cites various procedural rules that
 12 do not govern here. For example, the parties cite "Civil Local Rule 7" as governing "judicial
 13 intervention" in any dispute regarding their proposed protective order and "Civil Local Rule 79-5"
 14 as governing requests to seal materials. (ECF No. 13, pp. 6, 10). However, there is no "Civil Local
 15 Rule 7" or "Civil Local Rule 79-5" among the Court's Local Rules. Accordingly, should the parties
 16 file a future protective order, they shall make sure that it follows the Court's established rules and
 17 procedures. (*See, e.g.*, LR 141 (requests to seal), 141.1 (protective orders), 251 (discovery motions);
 18 ECF No. 11, pp. 4-5 (noting procedures regarding informal discovery conferences and discovery
 19 motions); the Court's Standard Procedures (same) available on the Court's website at:
 20 https://www.caed.uscourts.gov/caednew/assets/File/EPG_Standard%20Procedures%20for%20Webs
[ite_revised%2012_14_22.pdf](https://www.caed.uscourts.gov/caednew/assets/File/EPG_Standard%20Procedures%20for%20Webs)).

21 Accordingly, IT IS ORDERED that the parties' stipulated protective order (ECF No. 13) is
 22 denied, without prejudice to filing a stipulated protective order that fully complies with the Court's
 23 established rules and procedures.

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 25 IT IS SO ORDERED.

26 Dated: January 3, 2023

27 /s/ Eric P. Gray
 28 UNITED STATES MAGISTRATE JUDGE

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